
Public Notice

Applicant:
Walter Cavatassi

Date:
Published: Nov. 15, 2001
Expires: Dec. 15, 2001

**U.S. Army Corps
of Engineers**

In Reply Refer To:

Buffalo District CELRB-CO-R RE: 92-985-22(3) **Section:** NY 404

**Application for Permit under Authority of
Section 404 of the Clean Water Act (33 U.S.C. 1344).**

Mr. Walter Cavatassi, 350 Fairport Road, East Rochester, New York 14445, proposes to channelize a total of approximately 850 lineal feet of stream channel and place fill into approximately 0.21 acre of wetland adjacent to one of the stream channels. This work is part of the construction of the Wintergarden residential subdivision. The proposed project site is located off of East Henrietta Road in Henrietta Township, Monroe County, New York.

The project consists of the following:

a. Approximately 500 lineal feet of an unnamed tributary to the Genesee River will be channelized to allow for a road crossing and lot development. Approximately 50 lineal feet of the 500 foot total will be a culverted road crossing. The tributary is shown as a perennial stream above headwaters on the U.S.G.S. Pittsford, New York quadrangle map.

b. Approximately 350 lineal feet of a second unnamed tributary to the Genesee River will be rerouted into a proposed stormwater retention area and proposed created emergent marsh to provide flood relief for downstream properties. This second tributary is also shown as a perennial stream above headwaters on the U.S.G.S. quadrangle map. The proposed shallow marsh will be approximately 2.25 acres in size and will be bordered on the east by an open water retention pond. The applicant has expressed strong interest in creating wetland areas to handle flood attenuation in addition to the traditional retention pond approach.

c. Approximately 0.21 acre of regulated wetland adjacent to the first tributary will be filled in order to construct a low level (3-4 foot high) berm along the outlet of the wetland area. The berm is proposed to provide flood relief downstream and to increase the size of the existing wetland area. The wetland on the site is currently approximately 12.4 acres in size and extends slightly off of the property to the south. The wetland is currently a combination of scrub/shrub dominated by European buckthorn, grey dogwood, silky dogwood and young American elm. The overstory contains swamp white oak, American elm, green ash and silver maple. The wetland boundary was field verified by the Corps of Engineers on April 4, 2000. The proposed project would increase

the hydrology in the wetland somewhat

and should discourage the invasive species such as the buckthorn and multiflora rose, while selecting for the more hydrophytic species, such as swamp white oak and silver maple. The proposed water regime would have maximum inundation (approximately 3 feet) for only approximately 24 hours during and after a strong storm event. More minor inundation (approximately one foot or less) is likely to increase during spring and early summer months but will not persist into the drier summer months. This would allow aquatic grasses to increase their coverage on the site and likely lead to a more open forest floor.

The applicant's stated purpose for the project is to construct a residential subdivision, increase and enhance wetland resources on the site, and provide flood relief for downstream properties.

Location and details of the above described work are shown on the attached maps and drawings.

Questions pertaining to the work described in this notice should be directed to Steven V. Metivier, who can be contacted by calling (716) 879-4314, or by e-mail at: steven.v.metivier@usace.army.mil

The following authorization(s) may be required for this project:

Water Quality Certification (or waiver thereof) from the New York State Department of Environmental Conservation.

There are no registered historic properties or properties listed as being eligible for inclusion in the National Register of Historic Places that will be affected by this project.

In addition, available evidence indicates that the proposed work will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments should be sent to the U. S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207-3199, and should be marked to the attention of Steven V. Metivier, or by e-mail at: steven.v.metivier@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior

or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Paul G. Leuchner
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.

INSPECTORS QUALITY ASSURANCE REPORT (QAR) DAILY LOG OF CONSTRUCTION – CIVIL <i>(ER 1180-1-6)</i>						THE OCR WILL BE ATTACHED TO OR FILED WITH THE QAR Report #194			
TO: Chief, New York – Pennsylvania Area Office						DATE 11/13/01			
PROJECT: LOOW TNT pipeline						CONTRACT NUMBER:			
CONTRACTOR (Or hired labor): <i>Sevenson</i>						WEATHER nice			
PORTION OF SCHEDULED DAY SUITABLE FOR OPERATIONS						TEMPERATURE			
STRUCTURAL EXCAVATION %	BORROW EXCAVATION %	EMBANKMENT %	CONCRETE %	SITE WORK 100%	Minimum 38		Maximum 60		
HAS ANYTHING DEVELOPED ON THE WORK WHICH MIGHT LEAD TO A CHANGE ORDER OR FINDING OF FACT? NO <input type="checkbox"/> YES (Explain)						24 HOUR PRECIPITATION			
						INCHES -----		ENDING ----	
NUMBER OF GOVERNMENT EMPLOYEES						RIVER STAGE			
Supervisory	OFFICE	LAYOUT	INSPECTION 1	TOTAL 1	LABOR	FEET Na		TIME Na	
NUMBER OF CONTRACTOR'S EMPLOYEES				NUMBER OF SHIFTS x 1 2 3					
SUPERVISORY 1	SKILLED 4	LABORERS 2	TOTAL 7	FROM 0700	TO:1730	FROM	TO	FROM	TO
Attach list of the following: (a) Major items of equipment either idle or working, and (b) Number and classification of contractor personnel onsite. Note: If the contractor's Quality Control Report (QCR) contains the information not be repeated.									
CONTRACTOR/SUBCONTRACTORS AND AREA OF RESPONSIBILITY FOR WORK PERFORMED TODAY									
a.	<u>Sevenson (prime)</u>								
b.	<u>ISSI (sub-explosion experts)</u>								
c.	<u>J.A. Brundage (sub- Video crew)</u>								
d.	_____								
WORK PERFORMED TODAY <i>(Indicate location and description of work performed. Refer to work performed by prime and/or subcontractors by letter in Table above)</i> A) Oversight, Walked over the CMSA Blending TNT from CSMA, B) Blending TNT from CSMA, Walking over CMSA C) Not on site Days of no work and reason for same:									
Information on progress of work, causes cubic for delays and extent of delays, Plant, material, etc. None									

CQC INSPECTION PHASES ATTENDED AND INSTRUCTIONS GIVEN

None

RESULTS OF QA INSPECTIONS AND TESTS, DEFICIENCIES OBSERVED, ACTIONS TAKEN AND CORRECTIVE ACTION OF CONTRACTOR. INCLUDE COMMENT PERTAINING TO CONTRACTORS CQC ACTIVITIES

None

VERBAL INSTRUCTIONS GIVEN TO CONTRACTOR. *(Include names, reaction, remarks)*

None

CONTROVERSIAL MATTERS IN DETAIL

Sevenson needs Submittal 79

Still in the corner of the CMSA

INFORMATION, INSTRUCTIONS OR ACTIONS TAKEN NOT COVERED IN QCR REPORT OR DISAGREEMENT

None

REMARKS *(Include visitors to project and miscellaneous remarks pertinent to work)*

5926lbs at TP#11 final

3895 lbs on CMSA to date

Total 1080 lbs of TNT to date as of 11/13/01.

7 loads of water total to date

The 744' Q-D is still up

The CMSA has a lot more TNT on it than we assumed.

I was not on site today.

SAFETY *(Include any infractions of approved safety plan, safety manual or instructions from Government personnel. Specify corrective action taken.)*

No infractions

INSPECTOR'S SIGNATURE

Harold J. Leggett III

DATE

11/14/01

SUPERVISOR'S INITIALS

Brian Moore

DATE

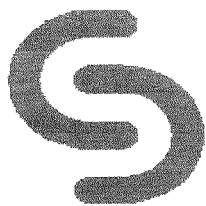
11/15/01

Contract No. LOOW
Quality Assurance Report No.

Date 11-13-01

Activity No.	Description	S/O/C	Work performed this date
	Sample blend pile from Tpl1	C	11/07/01 complete
	Sample results from tpl1	O	11/15/01 waiting for results
	Submit analytical tpl1 to USACE	N-S	11/15/01 nothing
	SS and blend CMSA	O	11/07/01-11/14/01 3895-LB to DATE BLEND 1080 LB TOTAL
	SS and blend 3 areas	N-S	11/15/01-11/26/01
	BOL & accept letter tpl1	N-S	11/20/01
	Sample SS blend pile	N-S	11/27/01
	Samples results from SS blend pile	N-S	12/05/01
	Submit analytical of SS BP	N-S	12/05/01
	Dispose of tp 11 pile	N-S	11/27/01-12/03/01
	Submit BOL & accept letter for SS areas	N-S	12/11/01
	Restoration/ backfill tpl1	N-S	12/04/01-12/07/01
	Dispose of SS BP	N-S	12/13/01-12/18/01
	Restoration/ demobilize	N-S	12/19/01-12/21/01

Activity No.: Enter Activity Number as identified in the progress schedule. List all activities that should be ongoing, whether started or not.
Description: Enter description of task from progress schedule.
S/O/C: Started/Ongoing/Completed
Work performed: Described work performed by Contractor. Described work performed by the Government when activity pertains to the Government.



Quality Control Daily Report

Niagara Falls, New York
DACW 49-00-D-0002 - D.O. No. 0002

REPORT NO. 194

CONTRACT NO.

DATE: 11-13- 01

#CQC PROJECT TITLE: LOOW TNT Pipe Removal

LOCATION OF WORK : TP#11

DESCRIPTION:

WEATHER: Sunny AM , Sunny PM

RAINFALL 0.0 _ INCHES

TEMP	Min	Max
	42	51

1. Work performed today by Prime Contractor):

Aided ISSI in preparing for blending of recovered CMSA materials.

Consolidated first and second CMSA blend piles.

Constructed fourth blend pile for ISSI.

Secured site at end of day.

2. Work performed today by Subcontractors:

ISSI continued scanning and recovery of TNT at Contaminated Material Storage Area, quadrant A

ISSI continued blending recovered CMSA , mineral oil soaked, crystalline at TP#11, as instructed by USACE, 1080 lbs., total to date 3895lbs..

3. Material and/or equipment delivered or removed from site:

Four loads of sand delivered 101.1Ton

4. Type and results of Inspection:

Preparatory

Initial

Follow Up

None

5. List type and location of tests performed and results of these tests:

None

6. Verbal instructions from USACE:

None

7. Safety Violations Observed and Actions Taken:

None

8. Remarks (include submittal actions and anything that does not fit into above categories):

The 744 ft Q-D remains in place.

Awaiting written approval of profile and analytical on Baker Tank waters, Submittal 79

Awaiting Submittal # 80, Analytical results for two in-situ samples and 10" overburden.

9. Total Man Hours Today: 70

10. Total Man Hours to Date: 2347

11. Delays (identify any delays in work progress today).

None

12. Planned Activities. (Identify tasks planned for the next few days.)

Disposal of blended materials, surface scan and blend four areas

CERTIFICATION: I certify that the above report is complete and correct and that I, or my authorized representative, have inspected the work performed this day by the Prime Contractor and each Subcontractor and have determined that all materials, equipment, and workmanship are in strict compliance with the plans and specifications except as may be noted above.



Contractor's Designated Quality Control Manager

Attachments (include Minutes of preparatory or initial inspections held: Test Report List or *Outstanding Deficiencies List, *If applicable, index attachments to Item Number of report * Minutes of Safety Meeting; Daily Safety Log; Daily Safety Meeting Sign-In; Daily Calibration Data; Daily Field Monitoring; ISSI Daily Activity Report, Soil Erosion Protection Review; Daily Job-site Sign-in Sheet,):

Sevenson Environmental Services, Inc.
EMPLOYEE and VISITOR LOG

Lake Ontario Ordnance Works, Lewiston and Porter, NY
DACW49-00-0002 No.0002

DACW49-00-0002 No.0002

Date 11/13/01

Day: TUESDAY

[illegible]

Job # G139

Sevenson Environmental Services, Inc.

Daily Safety Log

Lake Ontario Ordnance Works

DATE: 11-13-01

WORK PERIOD COVERED: 0700-1730

WEATHER CONDITIONS AM: 42° Sunny

PM: 51° Sunny

SUMMARY OF DAY'S WORK ACTIVITY. Aided ISSI in preparing for blending of CMSA materials. Consolidating first and second CMSA blend piles. ISSI performing surface scan, recovering and blending of CMSA materials. Secured site at the end of day.

EQUIPMENT UTILIZED BY SAFETY MONITORS: None

PROTECTIVE CLOTHING AND EQUIPMENT BEING USED BY TASK: . Modified Level D inside work area.

PHYSICAL CONDITION OF WORKERS: (any heat or cold stress or other medical problems): OK

ACCIDENT OR BREACH OF PROCEDURES: None

DESCRIPTION OF MONITORING AIR SAMPLING TAKEN: None

MISCELLANEOUS: None

NAME: Dana Draper

TITLE: SSHO

SIGNATURE: 

Sevenson Environmental Services, Inc.
Daily Safety Meeting

DATE: 11/13/01
DAY: TUESDAY

JOB NAME: Lake Ontario Ordnance Works
& NUMBER: G-139

TOPIC: WORKING AROUND EQUIPMENT / MOD LEVEL D PROTECTION

SIGNATURE:

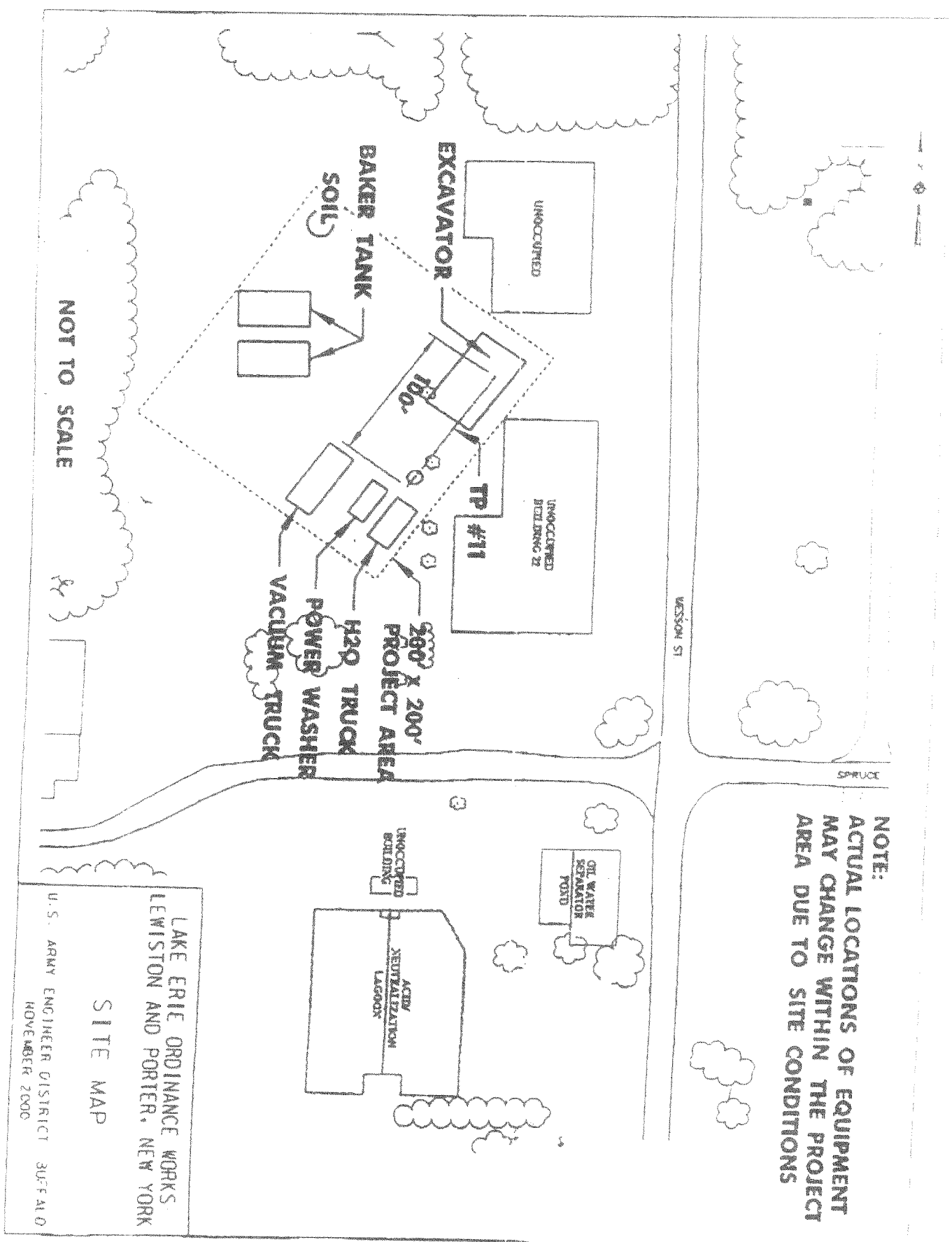
SIGNATURE:

John Smith
Denny G. Valente
Paul Smith
Steve Hart
Dave Tuttle
Paul Smith

ISSI UNEXPLODED ORDNANCE		DAILY ACTIVITY REPORT			
DATE: 13 NOV 01		LOCATION: LORW, NY		SITE: CMSA DECON PAD	
SITE MANAGER: Bob Sammel		UXO SUPV: HUNTON, SMITH			
DAILY TASKS					
START TIME: 0700		STOP TIME: 1700		TOTAL HRS: 10	
SAFETY BRIEF <input checked="" type="checkbox"/>		TAIL GATE BRIEF		CALIBRATE INSTRUMENTS	
ADDITIONAL TASKS:					
SURFACE AND GEOPHYSICAL SWEEPS					
ANOMALIES:		SCRAP:		UXO:	
NOMENCLATURE:		QTY	FUZING	DEPTH	DISPOSITION
REMARKS: Collected 1080 lbs of Crystalline/TNT nodules, lumps and fine materials. TOTAL TO DATE FOR THE CONTAMINATED MATERIALS STORAGE AREA (CMSA): 3895.65.					
Vehicle Mileage: Start		Stop		Total	
				Gas: \$	

USE BACK OR CONTINUATION SHEET FOR ADDITIONAL INFORMATION OR SKETCHES

NOTE:
 ACTUAL LOCATIONS OF EQUIPMENT
 MAY CHANGE WITHIN THE PROJECT
 AREA DUE TO SITE CONDITIONS



LAKE ERIE ORDINANCE WORKS
 LEWISTON AND PORTER, NEW YORK

SITE MAP

U.S. ARMY ENGINEER DISTRICT BUFFALO
 HOWE ABER 2000

3045

4772



3040

5470 II SW
(WEST HENRIETTA)

HENRIETTA

3035

5470 II SW
CHANGE 46

3030

BUFFALO 30 M
1.3 M TO NY

3025

2'30"

3020

RUSH 3.3 MI

3015

4767

WINTERGARDEN SUBDIVISION

D/A Processing No. 92-985-22(3)

Monroe County, New York Quad: WEST

HENRIETTA

Sheet 1 of 6

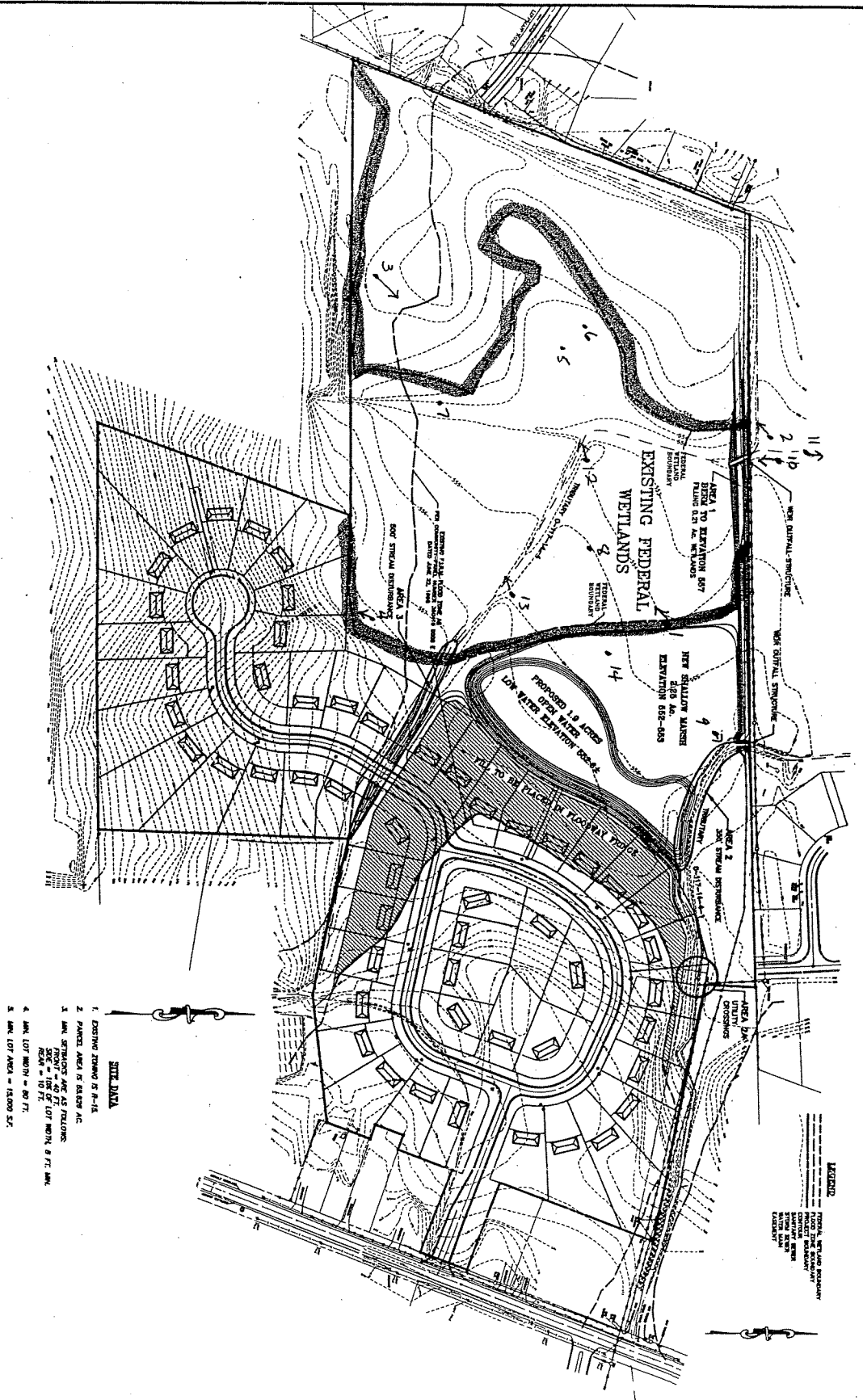



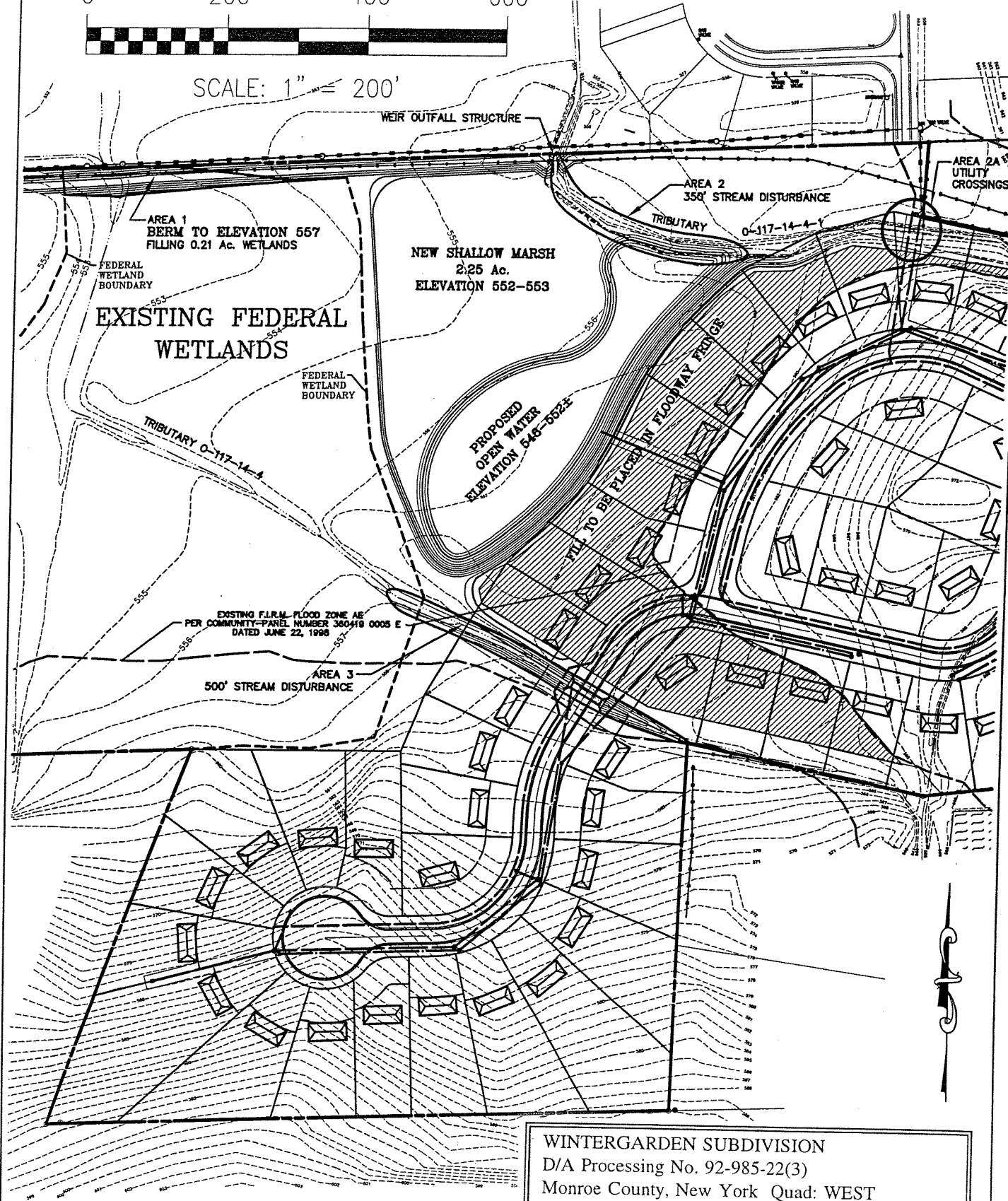
Figure 3. Photo Location Key

Scale: 1 in = 200 ft ±

 LU ENGINEERS Civil and Environmental		JOSEPH C. LU ENGINEERING AND LAND SURVEYING, P.C. 2230 FINEFIELD ROAD FARMINGDALE, N.Y. 11735 (716) 377-1450 FAX (716) 377-1256		CLIENT: _____ PROJECT: _____ DATE: _____ BY: _____ PLOT: _____	
ADDRESS: 1000 N. 10th St., Suite 200 Farmingdale, N.Y. 11735 Tel: (716) 377-1450 Fax: (716) 377-1256 E-mail: jlu@lu-engineers.com Website: www.lu-engineers.com		PROJECT: WINTERGARDEN SUBDIVISION LOCATION: 350 PARKWAY ROAD EAST ROCHFESTER NEW YORK 14445			
SHEET: 1 OF 1 DATE: 05/20/09 PROJECT NO: 2182		DRAWING TITLE: PRELIMINARY UTILITY PLAN			



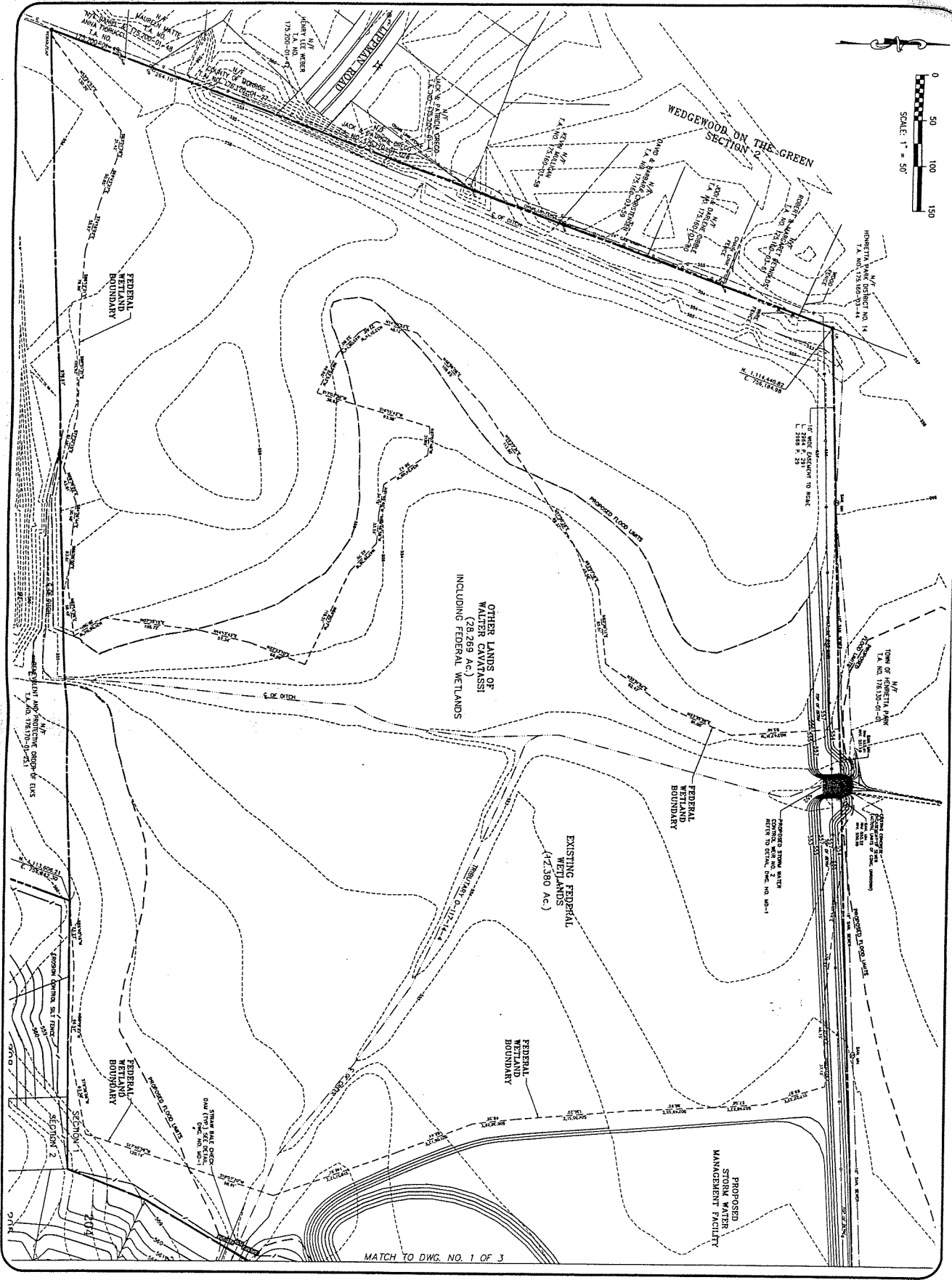
SCALE: 1" = 200'



WINTERGARDEN SUBDIVISION
D/A Processing No. 92-985-22(3)
Monroe County, New York Quad: WEST
HENRIETTA
Sheet 3 of 6



WINTERGARDEN SUBDIVISION



WINTERGARDEN SUBDIVISION
 D/A Processing No. 92-985-22(3)
 Monroe County, New York Quad: WEST
 HENRIETTA
 Sheet 5 of 6

PRELIMINARY GRADING PLAN

DESIGNED BY: SCALE: 1" = 50'

DRAWN BY: JAO DATE: MARCH 2000

CHECKED BY: LEB PROJECT NO. 107-01

SHEET 2 OF 3 GR-2

CLIENT: WALTER CAVASSI
350 FAIRPORT ROAD
EAST HENRIETTA, NEW YORK 14445

PROJECT: WINTERGARDEN SUBDIVISION
EAST HENRIETTA ROAD HENRIETTA, NY

DESIGNER: JOSEPH C. LU ENGINEERING AND LAND SURVEYING, P.C.
1000 SHERBROOK AVENUE
HENRIETTA, NY 14752
TEL: 377-1450
FAX: 377-1266

GENERAL LOCATION MAP

NOTES:

1. The location of the proposed storm water retention basin and treatment facility is shown on this map. The location of the proposed storm water retention basin and treatment facility is shown on this map.

DATE: _____

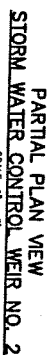
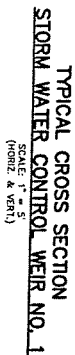
BY: _____

REVISIONS:

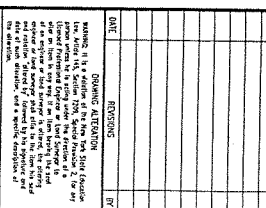
NO.	DATE	DESCRIPTION

JOSEPH C. LU ENGINEERING AND LAND SURVEYING, P.C.

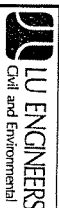
1000 SHERBROOK AVENUE
HENRIETTA, NY 14752
TEL: 377-1450
FAX: 377-1266



Sheet 6 of 6



BT: _____
DATE: _____



Civil and Environmental

JOSEPH C. LU ENGINEERING AND
LAND SURVEYING, P.C.
2230 FENFELD ROAD
FENFELD, NY 14526
(716) 377-1450
FAX (716) 377-1266

PRODUCT:
WINTERGARDEN
SUBDIVISION
EAST HENRETTA ROAD HENRETTA, NY

CLIENT:
WALTER CAVATASSI
350 FAIRPORT ROAD
EAST ROCHESTER, NEW YORK 14445

STORM WATER MANAGEMENT WEIR DETAILS

DESIGNED BY:	SCALE: AS NOTED
DRAWN BY: JAD	DATE: FEBRUARY 2000
CHECKED BY: LSB	PROJECT No. 3192-01
SHEET 1 OF 4	DRAWING No. MD-1